IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8721 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

NATWERLAL M SUTHAR

Versus

COLLECTOR OF MEHSANA

Appearance:

MRS KETTY A MEHTA for Petitioner No. 1

MS NANDINI JOSHI, AGP for Respondent No. 1

RULE SERVED for Respondent No. 2-3

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 29/07/2002

ORAL JUDGEMENT

The petitioner who was employed as Deputy Mamlatdar, Small Savings in the Office of the Collector, Mehsana was transferred by the Collector by his order

dated 7th December, 1990 to the post of Supply Officer in the Office of the Collector in place of one Shri M.R. Barot who was transferred elsewhere. The petitioner filed this petition making the grievance that he was not allowed to take charge of the post to which he had been transferred. It appears that subsequently by order dated 18th January, 1991, the Collector ordered the petitioner to continue in his original post. The petitioner thereupon amended the petition so as to challenge the order dated 18th January, 1991. The petitioner's prayer was that the respondent should implement the original order dated 7th December, 1990. Twelve years have gone by since the said orders were passed and it appears that the petition has become infructuous by efflux of time. The petition is, therefore, dismissed. Rule is discharged with no order as to costs. Interim relief stands vacated. Liberty to apply in case of difficulty.

(M.C. Patel, J.)

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